



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

SANITARY LEGISLATION.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

PORTO RICO.

Board of Health—Organization, Powers, and Duties—Health Officers. (Act 81, Mar. 14, 1912.)

SECTION 1. That the sanitation service in Porto Rico be, and is hereby, reorganized so as to be composed of a director of sanitation, an assistant director of sanitation, an insular board of health, and the necessary personnel for the various offices authorized by this law.

SEC. 2. That the director of sanitation shall be the head of the service of sanitation in the island, with power to supervise all the sanitary service in the island of Porto Rico.

SEC. 3. That the director of sanitation shall be a physician duly authorized to practice in the island and having practiced his profession for at least 5 years; he shall be appointed by the governor, with the approval of the executive council, and shall hold office during good behavior, at a salary of \$6,000 per annum, subject to removal by the governor for good cause. The director of sanitation shall not practice his profession of physician and surgeon.

SEC. 4. That the director of sanitation may cause to be removed to proper places designated by him any person sick with a quarantinable disease or any other rapidly spreading contagious or infectious disease, and shall have the control of public hospitals for the treatment of such cases. He may occupy, for the purpose of provisional hospitals, such buildings as may be necessary, without prejudice to the subsequent payment to the owner of an indemnity, the amount of which shall be determined in accordance with the procedure established by law in like actions; and he may cause proper care and attention to be given to the sick persons removed to the hospitals, at the expense of the insular government, as herein provided for, when it comes to his knowledge that such persons are too poor to defray the expenses of their attendance or when it is necessary to take care of them in the interests of the public health. No person suffering from a quarantinable or other rapidly spreading contagious or infectious disease shall be removed from a vessel, or from any other place set aside by competent authority for his isolation and treatment, without a written permit from the director of sanitation or the sanitary official placed in charge of such vessel or place by the director of sanitation. For the purpose of carrying out the duties prescribed by this section, the director of sanitation, or any duly authorized physician employed in the sanitary service, may enter at any time into private properties and dwellings for the inspection or examination of such premises, in accordance with the provisions of section 30 of this act.

SEC. 5. That in case of an epidemic, threatening the health of the island, the director of sanitation after consulting the insular board shall, with the approval of the governor, take such emergency action as may be necessary to suppress the same, and

all the expenses for personnel and material caused by the epidemic shall be borne by the insular government. The proceeds of all fines collected, by whatever authority, for the violation of the sanitary laws, or of the rules or regulations made pursuant thereto, shall be covered into the insular treasury, to create a special fund expendable only with the approval of the governor for sanitary service in suppressing epidemics.

SEC. 6. That the director of sanitation shall file an annual report with the governor of Porto Rico, for transmittal to the legislature, wherein he shall set forth the sanitary services that shall have been rendered and the sanitary conditions prevailing in the island of Porto Rico at the time.

SEC. 7. That the director of sanitation shall attend to all problems affecting public health, and shall publish suitable notices covering the prevailing diseases and epidemics.

SEC. 8. That the director of sanitation shall have the power to appoint, transfer, or dismiss for cause, with the approval of the governor, in accordance with the provisions of the civil-service act, employees whose appointments are not otherwise provided for in this act: *Provided*, That in order to appoint, transfer, or dismiss temporary employees, or to suspend any employee temporarily, said approval shall not be required.

SEC. 9. That the assistant director of sanitation shall be a physician duly authorized to practice, and having practiced his profession in the island for at least 5 years; he shall be appointed by the director of sanitation, shall perform such duties as may be assigned to him by the director, and shall act in his place as director of sanitation during the absence of the director: *Provided, however*, That the foregoing qualification as to practice in the island shall not be applicable with respect to the first appointment made in accordance with this section. He shall receive a salary of \$3,500 per annum, and shall not practice his profession.

SEC. 10. That the governor, by and with the consent of the executive council, shall appoint a board of health, to be known as the insular board of health and composed of the following members: Four physicians, one lawyer, and one chemical or pharmaceutical expert, authorized to practice and who have practiced their profession in the island for a period of at least five years, and one civil engineer with at least five years experience in sanitary engineering. The board of health at its first session shall choose its president, who shall be one of the physicians, and all members of the board of health shall hold office until their successors shall have been appointed and qualified.

SEC. 11. That the insular board of health shall hold regular meetings during the first week of each month, and such other meetings as may be required for the dispatch of business, written citation therefor being circulated by order of the president a reasonable time before the meeting. A majority of the members of the board shall constitute a quorum. In case there shall be no quorum, despite the fact that the members of the board have been given due notice one week in advance of said meeting, its transactions shall be valid if had with the attendance of three members. The members of the insular board of health shall receive a per diem compensation of \$5 when in attendance upon meetings.

SEC. 12. That it shall be the duty of the insular board of health to act as an advisory and legislative body in respect to all matters pertaining to the public health, and it shall prescribe all sanitary rules, regulations, and ordinances required by this act, which shall govern in all the municipalities of Porto Rico, with a view to preventing and suppressing contagious and epidemic diseases, destroying the vehicles of propagation of malarial fevers and tuberculosis and other transmissible diseases, and dealing with any other service affecting public health, such as the water service, food and beverages, construction of buildings within the towns, ventilation, drainage, and sanitary plumbing installations, hotels, inns, boarding houses, sleeping houses, cafés, restaurants, eating houses, canteens, tenement houses, private dwellings, houses in general, schools, factories, and workshops, dangerous, unhealthy, or uncomfortable

industrial establishments, slaughterhouses and slaughtering markets, meat markets, garbage, transportation of garbage and organic fertilizers, cleaning of cesspools and sinks, public ways, railroads, street railways, hospitals, maisons de santé, sanatoriums, animals and cattle, rural sanitation and hygiene, transmissible diseases, corpses, cemeteries, interments and disinterments, autopsies, embalmings, transportation of corpses, barber and hair-dressing shops and public-bath pavilions, dairies and milk depots.

It shall be the duty of the insular board of health to prescribe rules and regulations for governing conditions surrounding employees of the Government or of private parties, in so far as such regulation is necessary in the interest of public health, and of conditions to be maintained in dairies and bakeries, and in connection with the slaughter of animals for food, and governing the transportation of milk and other dairy products, bread and other bakery products, and meat and meat products; for the disposal of garbage and refuse of all kinds: *Provided*, That nothing in this section shall authorize the issuance of regulations that will deprive a member of the female sex of the privilege of selecting the physician who is to make examinations as to her physical condition. It shall define the class of sanitary appliances to be installed and maintained in public and private buildings, and prescribe rules and regulations for the burial, exhumation, and transportation of cadavers, and the regulations to be observed in respect to reporting, isolating, and treating infectious or contagious diseases, and guarding from contamination all streams from which water for drinking or domestic purposes is taken.

SEC. 13. That the director of sanitation shall submit to the executive council, for its consideration and approval, all rules and regulations prescribed by the insular board of health, indorsing thereon his views. The executive council may amend or alter such rules and regulations and return same to the director of sanitation for reconsideration by the insular board of health. If differences finally exist between the executive council and the insular board of health as to the rules and regulations which shall be put into effect, a conference committee shall be appointed by the presidents of both bodies, to consist of three members from the insular board of health and three members from the executive council: *Provided*, That in case of disagreement or tie vote the governor of Porto Rico shall designate one of the justices of the supreme court, who shall for the time being become a member of the board for the purpose of deciding the questions at issue. The conclusions of a majority of the committee so appointed shall rule and be accepted by the insular board of health and the executive council as controlling and conclusive. All such rules and regulations, when approved by the executive council, shall be promulgated by the governor of Porto Rico and shall be published in two newspapers of general circulation in the island, and thereupon and thereafter shall have the force and effect of law.

SEC. 14. That in the event that the insular board of health should at any time fail or unreasonably delay to prescribe the sanitary rules and regulations required by this act, then it shall be the duty of the executive council, when such failure is brought to its attention by the governor, to formulate the necessary sanitary rules and regulations as herein provided, which rules and regulations shall be submitted by the executive council to a conference committee as provided in section 13, and such rules and regulations, upon approval by the conference committee, shall be promulgated by the governor, and when so promulgated and published in two newspapers of general circulation in the island shall thereupon and thereafter have the force and effect of law.

SEC. 15. That all courts are required to take judicial notice of the adoption of such rules and regulations and of the publication thereof required by this act.

SEC. 16. That the insular board of health shall appoint a secretary and shall define his duties. Said secretary shall receive a salary of \$2,400 per annum and shall serve at the pleasure of the insular board of health.

SEC. 17. That the director of sanitation shall attend meetings of the insular board of health when requested so to do by said board, and he shall advise the president of the board of health, when he considers it necessary, to call special meetings. He may attend and participate in any meeting of the board, but without the right to vote upon questions considered. He shall have the right to read all of the records and minutes of the board and to propose, in writing, any measures which in his judgment should be discussed and acted upon by the board.

SEC. 18. That within 60 days after the approval of this act the alcalde of each municipality shall forward to the secretary of the insular board of health copies of all ordinances of his municipality which relate to sanitation or public health, for the information of the board in formulating regulations. Municipal ordinances which were in force June 30, 1911, except as repealed by the municipal councils since, and all rules and regulations adopted by the insular board of health under authority of an act entitled "An act to provide Porto Rico with a law of sanitation," approved March 9, 1911, and which were approved by the executive council, and all rules and regulations promulgated by the director of health, charities, and correction and adopted by the executive council, shall be and remain in force until regulations by the insular board of health covering the same subjects shall be promulgated according to law. The municipal council may recommend to the insular board of health such modifications of the rules and regulations as may be required by the conditions in each locality.

SEC. 19. That all persons licensed by the board of medical examiners, the board of dental examiners, and the board of pharmacy shall present the licenses issued to them by said boards to the director of sanitation who shall establish and maintain a complete record thereof and indorse thereon the fact of registry, identifying each license with the serial number of records. All doctors of veterinary medicine shall present their diplomas or other evidence of qualification to the director of sanitation for record in the corresponding register. All undertakers, embalmers, and plumbers shall register in the office of the director of sanitation.

The director of sanitation shall also maintain a bureau of vital statistics, and for this and other purposes he shall require such reports and data as may be necessary for the discharge of his duties from public officials and from the managers, lessees, or tenants of any public or private establishments or carriers who shall furnish the same, or failing to do so shall upon conviction by a court of competent jurisdiction be held to be guilty of a misdemeanor and punished accordingly.

SEC. 20. That there shall be appointed by the director of sanitation, subject to the approval of the governor, two inspectors of health, who shall be physicians licensed to practice their profession, and who shall have practiced in the island for a term of not less than 3 years, and who shall hold office during good behavior and receive a salary of \$3,000 per annum each. They shall not be allowed to engage in private practice, and shall perform such duties as the director of sanitation may determine, and each shall be provided with an office supplied with the necessary personnel, equipment, and material.

SEC. 21. That there be, and is hereby established, in the service of sanitation a bureau of transmissible diseases, which shall have under its charge the study and prevention of transmissible diseases, including tuberculosis, uncinariasis, and other tropical diseases, the hospital for contagious diseases and the service of disinfection in general. The chief of said bureau shall be appointed by the director of sanitation, with the approval of the governor. He shall be a physician qualified to practice, and who shall have practiced in the island for a term of not less than 3 years, and shall receive a salary of \$2,500 per annum.

SEC. 22. That there be, and is hereby, created a bromatological chemical laboratory, to be in charge of a chemist-pharmacist, appointed by the director of sanitation, with the approval of the governor of Porto Rico, and who shall hold office during good

behavior, at an annual salary of \$2,500. Such appointee to be a professional man who shall have practiced in the island for a period of not less than 2 years. The bromatological chemical laboratory shall have an assistant chemist and the necessary personnel properly to attend to the business, as well as the suitable material with which to carry it on. The laboratory shall be under the immediate supervision of the director of sanitation, who will indicate and regulate the action in each case to be taken.

SEC. 23. That there be, and is hereby, created a biological laboratory, to be under the immediate supervision of the director of sanitation and in charge of a bacteriologist appointed by the director of sanitation, with the approval of the governor, who will hold office during good behavior, at an annual salary of \$2,500, who shall be a physician having practiced his profession in the island for a term of not less than 3 years. The biological laboratory shall have an assistant bacteriological physician and the personnel necessary to perform the work required, and shall be also equipped with all material necessary for such work. It shall devolve upon the laboratory to prepare vaccine lymphs, virus and serum; to make bacteriological analyses; to verify diagnosis, pathological examination, investigation on tropical and transmissible diseases and their prophylaxis, and to perform other duties to be prescribed by the director of sanitation.

SEC. 24. That there shall be employed a sanitary engineer, for duty in connection with the service of sanitation. The sanitary engineer shall be appointed by the director of sanitation, with the approval of the governor. He shall receive a salary of \$3,000 per annum. He shall possess a degree of sanitary or civil engineer and shall have studied sanitary engineering and shall have practiced his profession in the island for not less than three years, and be registered in the civil service of Porto Rico as such: *Provided*, That in case there is no such person registered in the civil service as sanitary or civil engineer, any other person who possesses such degree may be appointed although he has not practiced his profession in the island for the time required.

SEC. 25. That in addition to the other officers mentioned in this act, there shall be appointed by the director of sanitation, with the approval of the governor, three veterinary inspectors, three plumbing inspectors, and three inspectors of food, drugs, liquors, and other beverages. The plumbing inspectors shall be under the immediate orders of the sanitary engineer. Said employees must have the necessary qualifications, and shall receive the compensation provided by law, or fixed in accordance therewith: *Provided*, That the inspectors of food, drugs, liquors, and other beverages shall be qualified as chemists or pharmacists.

SEC. 26. That upon the approval of this act there shall be appointed by the director of sanitation, with the approval of the governor, for each municipality of the island, a health officer, at salaries to be fixed by, or in accordance with, law, the appointees to be physicians qualified to practice and who shall have practiced in the island for a period of at least one year: *Provided*, That where the director shall consider it advisable he may unite two or more municipalities under a single health officer: *And provided further*, That in towns of the third class the health officer may, with the approval of the director of sanitation, perform also the services of attending physician upon the poor, receiving therefor additional payment from the municipality. Health officers shall hold office during good behavior, subject to removal by the director of sanitation for cause, in accordance with the civil-service law.

In the municipality of San Juan there shall be two assistant health officers, receiving salaries of \$1,200 each; in Ponce, one assistant health officer, at a salary of \$1,200; and in the village of Catano one health officer, who can be required to render the services necessary in the leper colony, and to perform such other duties as the director may see fit to assign him, and who shall receive a salary of \$1,200 per annum. Health officers are empowered to appoint the personnel required in their offices, with the approval of the director of sanitation. The health officer shall supervise the sanitary

service of his municipalities and towns, and shall provide for the establishment of the necessary sanitary service, such as cleaning and watering the streets, removal of garbage and other refuse, public and private disinfection, drainage, drainage of private landed property within populated zones, and of public lands; cleaning of cess-pools and other deposits of filth in public property, and in private property when it becomes necessary for public health, as prescribed in this act. The health officer shall enforce all laws, ordinances, and sanitary rules, and shall exercise general supervision over public health within his respective municipalities and towns. The health officer shall not receive any expense allowance for any duty within the limits of his respective territory, except upon special authority of the director of sanitation, nor shall he travel on official business outside of his respective municipalities and towns without his orders.

SEC. 27. That the director of sanitation, medical inspectors, health officers, and assistants shall have the power to make arrests of persons found or apprehended in the act of violating the sanitary law, or any sanitary rules or regulations promulgated thereunder, delivering them as soon as practicable to the nearest police officer, and at the same time making the necessary charges against such offenders, but nothing in this section contained shall authorize any of the officers or assistants enumerated herein to carry revolvers or other unlawful weapons while in the performance of their official duties.

Communicable Diseases—Reporting of Cases of. (Act 81, Mar. 14, 1912.)

SEC. 28. That in conformity with the provisions of this act physicians shall report to the nearest health officer any of the following diseases which they may be attending or may have seen:

Exanthematous typhus, typhoid fever, Malta fever, Asiatic cholera, smallpox, varioloid, scarlet fever, diphtheria, bubonic plague, yellow fever, dengue, beriberi, epidemic dysentery, epidemic cerebrospinal meningitis, whooping cough, epidemic parotiditis, filariasis, tetanus infantum, malaria, tuberculosis, glanders, leprosy, uncinariasis, colibacillosis, infectious pneumonia, malignant pustule, and cutaneous syphilis.

Vaccination—Use of Virus or Serum. (Act 81, Mar. 14, 1912.)

SEC. 29. That the inoculation of vaccine virus be, and is hereby, made obligatory and binding upon all the inhabitants of the island during such period, and under such form and interval of time, as shall be determined by the director of sanitation, the inoculation of any other organic, prophylactic, or therapeutic product in cases of epidemic being also obligatory: *Provided*, That whenever it is deemed necessary by the director of sanitation to use virus or serum to combat any epidemic disease, save smallpox, the express approval of the insular board of health shall be necessary.

Premises—Abatement of Nuisances—Garbage. (Act 81, Mar. 14, 1912.)

SEC. 30. That the director of sanitation, the district inspectors, and the health officers, either in person or through their duly authorized agents or inspectors, be, and are hereby, empowered to enter into any building, house, shop, or place, at any hour during the daytime, to inspect and report on the sanitary condition of the same or to cause the prompt removal or correction of any public nuisance, in the form and manner prescribed in the sanitary regulations.

Investigations or inspections in private dwelling houses shall only be made after obtaining the permission of the occupant of the dwelling house to be inspected. Should such occupant refuse to give permission for such inspection, any municipal judge or justice of the peace may, upon receipt of a sworn statement as to the probable cause therefor, issue an order authorizing the proper officer to enter such private building or dwelling for the purpose of making such investigation or inspection: